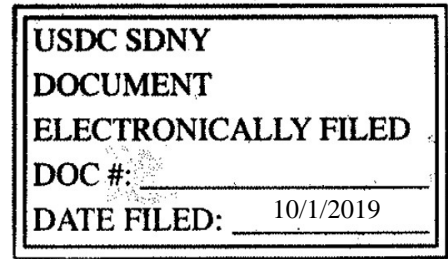


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
GERAMIE HAMSHER, Individually and on :  
Behalf of All Others Similarly Situated, :  
:  
Plaintiff, :  
:  
-against- :  
:  
THE SCOTTS COMPANY, LLC, and EG :  
SYSTEMS, INC., :  
:  
Defendants. :  
:  
-----X



17-CV-4206 (VSB)

**ORDER**

VERNON S. BRODERICK, United States District Judge:

Plaintiff Geramie Hamsher and Defendants The Scotts Company, LLC and EG Systems, Inc. (collectively, “Defendants”) have settled this wage and hour class and collective action for \$1,070,000. On February 1, 2019, I granted Plaintiff’s request for preliminary approval of the Class and Collective Action Settlement Agreement, for certification of the proposed class for settlement purposes, and to appoint Kennedy Hodges as Class Counsel. (Doc. 47.) However, I denied Plaintiff’s request for approval of the proposed Notice of Class Action Settlement because it did not meet the requirements of Federal Rule of Civil Procedure 23(c)(2)(B) and included an apparent inconsistency. (*Id.*) I directed that Plaintiff submit a revised proposed notice addressing the deficiencies. (*Id.*) On February 27, 2019, Plaintiff submitted a renewed motion to approve the revised proposed Class and Collective Action Settlement Notice (“Settlement Notice”). (Doc. 48.) I have reviewed the revised proposed Settlement Notice, (Doc. 48-1), and I conclude that it constitutes the best notice practicable under the circumstances, meets the requirements of due process, and satisfies all of the seven elements of Federal Rule of

Civil Procedure 23(c)(2)(B). Accordingly, it is hereby:

ORDERED that Plaintiff's request for approval of the revised proposed notice, (Doc. 48-1) is GRANTED.

IT IS FURTHER ORDERED that a Final Fairness Hearing will be held on January 31, 2020 at 2:00 p.m. to consider final approval of the Agreement. Any Class Member who wishes to object to the Agreement will be heard at that time.

IT IS FURTHER ORDERED that Plaintiff shall file a motion for final approval of the settlement no later than fifteen (15) days prior to the fairness hearing.

SO ORDERED.

Dated: October 1, 2019  
New York, New York



Vernon S. Broderick  
United States District Judge